

CAMDEN PLANNING BOARD

Minutes of Meeting

August 17, 2011

PRESENT: Chair Chris MacLean; Members Richard Householder, Members Kerry Sabanty and Lowrie Sargent; Alternate Members Sid Lindsley and Nancy McConnel; and CEO Steve Wilson

ABSENT: Member Jan MacKinnon

The meeting was called to order at 5:00 pm

1. PUBLIC COMMENT on NON-AGENDA ITEMS:

Select Board member Don White informed the Board that he has been assured that he will be appointed Liaison to the Planning Board when those appointments are made sometime in the next month or so. In the meantime, the Select Board has set September 13th as the date for a meeting with all interested board and committee members to discuss the recent survey and to illicit ideas for improving communications between the Select Board and committees and boards, and between committees and boards.

Mr. White also informed the Board that a woman had appeared before the Select Board to request changes to the Sign Ordinance to permit more directional signs. The Select Board suggested she come to the Planning Board – Ms. Michaud arrived as he was speaking.

Susan Michaud: Owner of Theo B. Camisole on Bayview Street: Ms. Michaud has come to the Board to request a change to the Sign Ordinance on behalf of downtown merchants who are members of the Camden Downtown Business Group (CDBG). The proposal for grouped signs - “sign boards” – directing drivers to certain areas and listing the individual businesses located there. The concept is modeled after the privately-owned signs on Sharpe’s Wharf.

Business owners came to the Town several years ago with a similar proposal and were “shot down”; they would like to try again. Their proposal is for large signs with slots for each individual shop. The signs would be located on the face of participating building owners who agree to the placement; as businesses change, the sign can easily change without being totally redone. The signs would be paid for by in a manner similar to that used for the Historical Map project funded by the Downtown Business Association and the individual shop owners; there would be no cost to the Town.

Mr. MacLean explained that the Board has just undertaken a “Sign Campaign” with the goal of making Camden’s Sign Ordinance more business friendly. He is planning a meeting with the CDBG sometime soon to get their ideas on what changes they have for possible amendments. Ms. Michaud suggested the meeting not take place until after the peak of the summer sales season in mid-October. Ms. MacKinnon, a member of the Sign Committee, wondered if they can make something work within the current Ordinance so the group doesn’t have to wait for an amendment to go to the voters next June. One good place to start would be to have the names of the business owners that are willing to have signs placed on their buildings – that one issue was a constant stumbling block when the first round of directional signs was proposed. Ms. Michaud noted that one easy change to the Ordinance would be to allow each business one more business sign so that sign can be used in the group sign. Ms. MacKinnon suggested that perhaps there is something that could be done to take a first step within the current Ordinance while they work on changes that would require amendments. Ms. Michaud thinks she will be able to find

representatives from business on Mechanic Street, the Knox Mill, Main Street and perhaps Washington Street to participate beginning sometime in late October. Mr. Wilson replied that under the Ordinance Town-owned directional signage is excluded; if the CDBG were to give the Town the signs they could probably accomplish this within the current ordinance.

2. MINUTES:

The Minutes from July 20th and August 3rd will be available for review at the next meeting.

3. SITE PLAN REVIEW

TOWN of CAMDEN: Grading/Improvements to Megunticook Lake South Ramp and Parking Lot: Hope Road: Boat Launch: Map 107: Lot 10 (RU-1); Parking Lot: Map 107: Lot 6-1 (RU-2)

The CEO explained that the only change to the original submissions was the revised Site Plan showing the turning radius at the entrance and exit drives to the Boat Launch. He also informed the Board that the Select Board had awarded the contract for the work to the low bidder conditioned on Planning Board approval. The contractor was informed that any changes made to the Plan would require a Change Work Order. Planning Board members questioned why the Town would put themselves in a position to incur costs associated with these orders by awarding this contract prior to Planning Board review. Ken Bailey, Megunticook Lake Warden, was present and replied that the DOC has this project in their current funding stream, and if the money is not spent this fall, the funding will be lost. The Town has been working on this project for two years and missed having the project reviewed by the Planning Board last summer.

The engineer from Maine Department of Conservation (DOC) assigned to this project had been expected to appear for this review to answer questions from the Board. Mr. Bailey had not anticipated participating in an official capacity, but agreed to answer those questions he could. He stated that the main purpose of the project is to improve environmental conditions as well as to make the launching area safer to use.

- Currently users back their trailers into the edge of the lake and leave them there for the day. When they leave the cove is brown with the silt churned up by the trailers as boats are hauled.
- There is a tremendous amount of run-off across the current launch site and it is being eroded away causing siltation in the cove.
- The improvements will provide a wider turning arc making access safer and the change of grade will make leaving the area safer.
- The ramp has deteriorated over time as well.

The plan is to do the work to the parking area first so Mr. Goodwin can store the floats he hauls for the winter beginning in late September. That work would begin immediately with the work to the launch area done as the lake is drawn down to accommodate fall rains beginning in mid-September.

Mr. Householder asked if the exit would be level with the road after the work is done; Mr. Bailey replied that it will. Currently the elevation of Hope Road at the exit is 145' and the launch area is 140'. The new grade will provide for a drop of 1' over 6'; currently the drop is 3' over 2'; that is what causes problems leaving the site and the reason there will be a tremendous amount of fill coming in for the project.

NOTE: There were many concerns expressed during this review, and they have been collated by subject to appear following the review of the Site Plan Content.

The submission under review for completeness consists of the following:

Application Packet containing the following documents:

- Application for Site Plan Review dated August 3, 2011
- Deed of Easement between Orman E. Goodwin, Jr. and Blanche L. Goodwin and the Town of Camden dated November 30, 2011
- Easement Parcel Survey recorded December 1, 2009
- A revised submission of the packet also included an undated and untitled map of the area

Megunticook Lake Boating Facility Improvement: Division 2 Site Work bid packet dated August 2011

Construction Drawings for the Megunticook Lake South Ramp Boating Facility Improvement consisting of the following:

- Cover Sheet showing a Location Map and an Area Map (undated)

The following Plans all dated July 28, 2011

- Existing Removals Plan
- Proposed Site Plan
- Ramp Profiles & Sections
- Site Details
- Layout Plan

Proposed Site Plan (revised) dated August 10, 2011

Site Plan Content

(a) *Owner's name and address*

→ The Goodwins are the owners of one of the parcels under review. Add a Note to the Plan which references the *Deed of Easement* between the Town of Camden and Orman and Blanche Goodwin dated November 30, 2009 describing the agreement for use of the lot for parking.

(b) *Names and addresses of all abutting property owners*

→ Add the Goodwin's name and address to their abutting parcel shown on the Plan.

→ Clarify the actual owner of the parcel: Orman alone or Orman and Blanche? The Easement Parcel Survey says "Land of Orman L. Goodwin" but shows a deed transfer to Orman and Blanche? Other documents refer to Orman and Blanche as well.

→ Add the Stebbens' address to the Plan.

(c) *Sketch map showing general location of the site within the Town*

Provided: A Sketch Map was provided on the cover of packet of Construction Drawing. → A Location Map was included in the packet at a larger scale: Label the document; highlight the subject property.

(d) *Boundaries of all contiguous property under the control of the owner or applicant regardless of whether all or part is being developed at this time.*

Provided

(e) *Zoning classification(s) of the property lines of the property to be developed and the source of this information.*

→ Add the zoning information to the Location Map.

(f) *The bearing and distances of all property lines of the property to be developed and the source*

of this information. The Board may require a formal boundary survey when sufficient information is not available to establish on the ground, all property boundaries.

→ Add bearings and distances to the Site Plan.

(g) The location of all building setbacks required by this Ordinance.

Not required: there are no buildings.

(h) *The location, dimensions, front view, and ground floor elevations of all existing and proposed buildings in the site.*

Not required: there are no buildings

(i) *The location and dimensions of driveways, parking and loading areas, and walkways.*

→ Add dimensions information to the Site Plan.

(j) *Location of intersecting roads or driveways within 200 feet of the site.*

→ Add the driveway information to the Location Map.

(k) *The location and dimensions of all provisions for water supply and wastewater disposal*

Not required: there is no proposed water supply or wastewater disposal.

(l) *the location of open drainage courses, wetlands, stands of trees, and other important natural features, with a description of such features to be retained and of any new landscaping planned.*

Provided.

(m) *Location and dimensions of any existing easements and copies of existing covenants or deed restrictions.*

→ Location of the easement is shown; dimensions need to be added to the parcel.

(n) *Location, front view, and dimensions of existing and proposed signs.*

→ Add location of signs shown on the Site Plan dated 7/28/2011 to the revised Site Plan dated 08/10/2011 and add information on the dimensions of these signs to the Site Details sheet.

(o) *Location and type of exterior lighting.*

Not required: there is no exterior lighting proposed.

(p) *Copies of applicable State and Federal approvals and permits, provided, however, that the Board may approve site plans subject to the issuance of specified State approvals and permits where it determines that it is not feasible for the applicant to obtain them at the time of site plan review.*

→ Provide documentation showing that all permits provided with the initial application in 2010 are still valid, and that all required permits have been either obtained or applied for.

(q) *A signature block on the site plan, including space to record a reference to the order by which the plan is approved.*

→ Add the Signature Block to the Site Plan along with the standard language regarding approval.

Supplemental Information

The Planning Board may require any or all of the following submissions where it determines that, due to the scale, nature of the proposed development or relationship to surrounding properties, such information is necessary to assure compliance with the intent and purposes of this Ordinance.

(1) Existing and proposed topography of the site at two-foot contour intervals, or such other interval as the Board may determine, prepared and sealed by a surveyor licensed in the State of Maine.

Provided at 1' intervals.

(2) A storm water drainage and erosion control plan prepared by an engineer or landscape architect registered in the State of Maine, showing:

(a) The existing and proposed method of handling storm water runoff.

(b) The direction of flow of the runoff through the use of arrows.

(c) The location, elevation, and size of all catch basins, dry wells, drainage ditches, swales, retention basins, and storm sewers.

(d) Engineering calculations used to determine drainage requirements based upon a 25-year storm frequency, if the project will significantly alter the existing drainage pattern due to such factors as the amount of new impervious surfaces (such as paving and building area) being proposed.

(e) Methods of controlling erosion and sedimentation during and after construction.

→ The NRPA Permit, which contains the approved plans for storm water controls and erosion controls, contains much of this information, but members have not yet had the opportunity to review that submission.

(3) A utility plan showing, in addition to provisions for water supply and wastewater disposal, the location and nature of electrical, telephone, and any other utility services to be installed on the site.

There are no utilities proposed.

(4) A planting schedule keyed to the site plan and indicating the varieties and sizes of trees, shrubs, and other plants to be planted.

Not required. There is sufficient information on proposed plantings shown on the Plan.

(5) In addition to items (a), (c), (d), (l), (m) and (o) in Section 3, applications for Piers, Wharves, Breakwaters and Boat Ramps shall include:

(a) A site plan stamped and sealed by an engineer registered in the State of Maine.

→ Required: The Plan must be stamped and sealed.

(b) An elevation showing the height of the pier in relation to normal high water.

There is no pier involved in this project.

(c) A pier section.

Not applicable: there is no pier.

(d) A detailed erosion control plan, including a schedule of construction. The schedule shall include the kind of motorized equipment, how and when it will be used below high or low water.

→ **Required: Provide a schedule of construction to accompany the erosion control plan.**

(e) A detailed plan showing how oils, greases or other contaminants will be separated and handled.

→ **Add a Plan Note explaining the best practices that will be followed for the handling of these contaminants.**

(f) Copies of required Maine department of Environmental Protection and United States Army Corps of Engineers permits.

→ **Assure that these permits remain valid.**

(g) A copy of the Maine Department of Conservation submerged lands lease.

Not required for this project.

Discussion:

Driveways:

Looking ahead to the Approval Criteria, Mr. Sargent notes that (4), Vehicular Access, Parking and Circulation addresses standards for exit driveways. There are three on this Plan, all requiring sight distances of 325' because they are in a 45mph speed zone. No sight distances are marked on the Plan; and the Plan does not extend out to 325' in either direction from the drives so no measurement can be scaled.

→ **The Applicant is asked to flag the 325' distance from the exit driveways for the Site Visit.**

→ **The Board is also interested in seeing where the 245' sight distance required in a 35mph zone would fall.**

Does the Board take this opportunity to address an unsafe situation if the design does not meet this criterion; or, is this issue beyond the scope of review if the drives are not being relocated? The Chair noted that the language of Section 6, Approval Criteria, says the following: "The site plan shall be approved unless in the judgment of the Planning Board the applicant is not able to reasonably meet one or more of these standards." He would like to know from Mr. Kelly how this applies to driveways pre-dating the ordinance that are located at the most logical locations on an existing site that have historically been a problem.

→ **The Town Attorney is asked to provide an opinion regarding the applicability of Section 6 4(a) to a pre-existing exit drive configuration.**

Speed Limit:

The Board has expressed concern regarding the 45mph speed limit through this area each time this application has been discussed. Hope Road (Route 105) is a State Road and the Town would have to request a reduced speed through this area from the Department of Transportation. The arguments the Board finds in support of a request to reduce the speed are: there will be a big increase in the number of road crossings to and from the parking area by vehicles pulling trailers and by pedestrians; a truck with a boat trailer takes a longer time to make a road crossing; there are limited sight distances and limited stopping distances; the road coming into the area from the west is curving downhill and comes into a narrow bridge crossing where people stand to fish;

the road heavily used by cyclists adding another safety consideration to the mix; and the fact that many drivers already exceed the posted speed limit.

Mr. Bailey noted that the State has stated in meetings that they plan on keeping the 45mph speed limit. They have discussed adding a crosswalk, but there are mixed feelings about that. Ms. McConnel added that she does not think a crosswalk is a good idea: people feel safe when they are in a crosswalk and they may not pay as much attention as they should to what is coming down the road. He also noted that the exit drive will be much safer after the grade is improved. Drivers will be able to exit much more quickly and they will have better sight distance sitting at road level; these improvements will make it much easier to move quickly across the road as well.

Mr. Bailey would like to see the Town petition for a 35mph reduced speed by going through the formal process. The Select Board would first consent to having the Town Manager make the request of the State to lower the speed, and he suggests making this cover an area beginning west of the “S”- curve that leads into the launch area and ending at Molyneaux Road. If the Select Board agrees to move forward, there would not be an answer from the State before this review is completed, and there is not a way to condition approval of this Application on an action of the State. There could be a Condition of Approval requiring the Town (the Applicant) to make the request, but that does not satisfy some members’ concerns that the Plan would then be approved with the current speed limit in place with no guarantee it would be reduced. Mr. Sargent, for one, does not believe the Plan is safe as designed with the 45mph speed limit in place.

Other concerns with the Plan:

Mr. Sargent:

Parking lot: 16 spaces will not be enough. Although cars carrying kayaks and canoes can park two deep, he thinks that will be rare since the back car will be parked in unless they know the front driver. He thinks people will continue to park in the launch area once the parking lot is full.

There is no stacking room: There is room in the launch area for one boat to stage and one boat to launch, but no place to park while waiting in line. Mr. Sargent thinks that trucks and trailers will stack up along Route 105 while they wait to launch – a very dangerous situation.

Separate area to launch kayaks and canoes: Mr. Sargent believes stacking might be alleviated somewhat if vehicles carrying kayaks and canoes could use the gravel area shown on the Plan as designated for hauling and launching floats. It is preferred to launch these small boats over a gravel bottom than the plates at the end of the ramps. If there were room for these vehicles to pull over and park without being in the way of the staging and launching set-up, those folks could come and go quickly without delaying big boat launches. Mr. Bailey noted that commercial kayak operations cause the biggest delays as they tie up the launch area unloading multiple boats. There will be a line of boulders placed along this graveled area to prevent parking there, but those boulders could be moved out further than currently proposed to allow a car - or a commercial kayak hauler – to park temporarily and still be out of the way. The placement of the boulders is not specific on the Plan and it will be easy to make that adjustment.

Mr. Bailey replied that they have placed “No Parking” signs every few feet the length of the landing; they have turned the traffic flow into one-way traffic in and out of the site; they have placed boulders where people used to park their trailers; and they had someone at the launch site for the first two week-ends of the year to help people get used to the changes. At busy times,

when the lot is full, people will learn they have to go elsewhere to launch their boats. He informed the Board that the Town must get State approval to place permanent “No Parking” signs along the road.

The missing information must be received one week prior to the Public Hearing and the CEO was asked to make sure the State understands what exactly needs to be done to complete the submission requirements prior to the Public Hearing. The CEO should make the State aware of the Board’s major concern: the speed limit related to the safety of road crossings.

Section 2 (7) requires that applications under Article XII, Section 1, (5) (changes to non-residential uses) go to the Harbor Committee for comments. This could be a typo and meant instead to apply to Section 1, (6) which are proposals to “construct uses...projecting into water bodies.” It was unclear, however, whether or not the Harbor Committee has any jurisdiction over inland waters, and whether or not this requirement would apply here.

→ The CEO will be in touch with the Harbor Committee to ask if they do have jurisdiction and, if so, if they want to comment on the proposal.

The CEO will advertise two Site Visits for September 1, 2011: The first at 7:15am and the second at 4:00pm, immediately prior to the Public Hearing at 5pm.

5. DISCUSSION:

1. *Minor Field Adjustments:* There were none

2. *MUBEC update and legislated amendments required*

The CEO distributed a draft proposal for amendments to the Zoning Ordinance required with the passage of MUBEC, the Maine Uniform Building and Energy Code. The Board will begin discussions on this draft before the end of the year.

3. *Sign Article Review*

This subject was discussed during the Public Comment portion of the meeting.

4. *Future agenda items & ideas:*

The CEO informed the Board that there are two Site Plan Applications coming their way: one for a Private Way across property at the end of Sherman’s Point; and one from the Community School making changes to drainage. Neither of them are a pre-application meeting so the Board would be reviewing the submissions for completeness; they agreed to review both at the September 1st meeting.

5. *Other:*

Historic Ordinance Amendment:

Mr. Householder notified the Board that the proposal will go before the Select Board for a Public on September 6th.

There being no further business before the Board they adjourned at 8:00 pm

Respectfully submitted,
Jeanne Hollingsworth, Recording Secretary